

ARTICLE 11

LIMITED INDUSTRIAL DISTRICT - M-1

STATEMENT OF INTENT

The intent of this district is to provide sufficient space in appropriate locations for certain types of industrial uses, relatively free from offense, in modern landscaped buildings to make available more attractive locations for these uses, and to provide opportunities for employment closer to places of residence with corresponding reduction of travel time from home and work. Typical development in this district would be that which is commonly known as an "industrial park." In order to preserve the land for industry and to avoid future conflicts between industry and residence, future residential and commercial uses are prohibited.

SECTION 11-1. USE REGULATIONS.

Structures to be erected or land to be used shall be for the following uses:

- 11-1-1 The manufacture, compounding, processing, packing, or treatment of such products as bakery goods, candy, cosmetics, dairy products, drugs, perfumes, pharmaceuticals and high-purity chemicals, perfumed toilet soap, toiletries, and food products; except fish and meat products, sauerkraut, and the refining of fats and oils.
- 11-1-2 The manufacture, compounding, assembling, or treatment of articles or merchandise from the following materials which have been prepared beforehand: bone, cellophane, canvas, cloth, cork, feathers, felt, fiber, fur, glass, hair, horn, leather, paper, plastics, precious or semiprecious metals or stones, shell, textiles, tobacco, wood, yarn, and paint not employing a boiling process.
- 11-1-3 The manufacture of pottery and figurines or other similar ceramic products using only previously pulverized clay and kilns fired only by electricity or gas.
- 11-1-4 The manufacture and maintenance of electric and neon signs; billboards; commercial advertising structures; light sheet metal products, including heating and ventilating ducts and equipment; cornices; eaves; and the like.

WINCHESTER ZONING ORDINANCE

- 11-1-5 The manufacture of musical instruments, toys, novelties, and rubber and metal stamps.
- 11-1-6 Assembly of electrical appliances, electronic instruments and devices, radios, television sets, and phonographs; electroplating and the manufacture of small parts and components such as coils, condensers, transformers, crystal holders, and the like.
- 11-1-7 Automobile assembling, painting, upholstering, rebuilding, reconditioning, body and fender work, truck repairing or overhauling, tire re-treading or re-capping, battery manufacture, transportation equipment maintenance, repair and assembly facilities, and the like. (4-13-93, Case # TA-93-04, Ord. No. 019-93)
- 11-1-8 Distribution plants, parcel delivery, ice and cold storage plant, and food commissary or catering establishment.
- 11-1-9 Carpenter or cabinet shop.
- 11-1-10 Contractors' equipment storage yards or plants, or rental equipment commonly used by contractors.
- 11-1-11 Feed and fuel yard.
- 11-1-12 Fire stations and rescue squad stations.
- 11-1-13 Foundry casting lightweight, non-ferrous metal not causing noxious fumes, noise, or odors.
- 11-1-14 Laboratories: pharmaceutical, medical, experimental, photo, or motion picture film, or testing.
- 11-1-15 Laundry, cleaning, and dyeing works, and carpet and rug cleaning.
- 11-1-16 Machinery sales and service.
- 11-1-17 Machine shop, metal fabrication shop, or welding shop, excluding punch press and drop hammers exceeding forty (40) ton rated capacity.
- 11-1-18 Monumental stone works.
- 11-1-18.1 Offices: Business, professional and governmental (5-15-84, Case #84-03, Ord. No. 009-84)

LIMITED INDUSTRIAL DISTRICT M-1

- 11-1-19 Public utilities, such as poles, lines, distribution transformers, pipes, meters, water and sewer lines, and public utility generating, booster, or relay stations, transformer substations, transmission lines, or towers.
- 11-1-20 Public utility service yard.
- 11-1-21 Repair services or businesses.
- 11-1-21.1 Restaurants. (3-8-77)
- 11-1-22 Retail lumberyard, including only incidental mill work.
- 11-1-23 Transmitting and receiving facilities for radio, television, or television cable stations.
- 11-1-24 Upholstery shop.
- 11-1-25 Veterinary offices or hospitals and kennels as per Section 8-2-10 of this Ordinance. (12-12-00, Case TA-00-06, Ord. No. 025-2000)
- 11-1-26 Wholesale business, storage buildings, and warehousing.
- 11-1-27 Accessory uses, as defined.
- 11-1-28 Off-Street Parking Areas as defined in Section 18-6 of this Ordinance for permitted and conditional uses in the M-1 District and access drives for permitted and conditional uses in the B-2, B-1, CM-1, M-2, MC and HE-1 Districts in accordance with Section 18-6 of this Ordinance. (8-12-97, Case TA-97-06, Ord. No. 019-97, 3-8-05, TA-04-08)
- 11-1-29 Signs in accordance with Section 18-8 of this Ordinance.
- 11-1-30 Mini-warehouses/mini-storage, as defined, subject to the following provisions. (New Section adopted 9-10-91, TA-91-02, Ord. No. 037-91)
 - a. Repealed. (10-17-95, Case TA-95-04, Ord. No. 053-95)
 - b. No business activities other than rental of storage units and office for management of the facility shall be conducted on the premises or within the building. Specifically, no activities such as miscellaneous or garage sales shall be conducted on the premises.

WINCHESTER ZONING ORDINANCE

The servicing or repair of motor vehicles, boats, trailers, lawn mowers, or other similar equipment shall not be conducted on the premises. The operation of a mini-warehouse/mini-storage shall in no way be deemed to include a transfer and storage business where the use of vehicles is part of such business.

- c. No entrances to individual compartments shall front on any public street.

11-1-31 Commercial Records Center (4-12-94, Case TA-94-03, Ord. No 011-94)

SECTION 11-2. USES PERMITTED WITH A CONDITIONAL USE PERMIT.

11-2-1 Gymnastic studios. (8-12-86, Ord. No. 011-86)

11-2-2 Youth activity center. (11-12-91, Case TA-91-03, Ord. No. 046-91), (8-16-02, Case TA-01-07, Ord. No. 036-2001)

11-2-3 Bus Terminals. (6-14-94, Case #TA-94-06, Ord. No. 019-94)

11-2-4 Transmitting and receiving facilities and towers for cellular communications systems and similar communications systems in accordance with Section 18-2-1.2 of this Ordinance. (2-13-96, Case TA-95-07, Ord. No. 002-96)

11-2-5 Animal Shelters, provided no such use is situated within 500 feet of any residential district. (12-12-00, Case TA-00-06, Ord. No. 025-2000)

SECTION 11-3. REQUIREMENTS FOR PERMITTED INDUSTRIAL USES.

11-3-1 Before a building permit shall be issued or construction commenced on any permitted use in this district or a permit issued for a new use, all requirements of Article 19, Site Plan Requirements, shall be met. (10-11-83, Case TA-83-06, Ord. No. 034-83)

11-3-2 Permitted uses shall be conducted wholly within a completely enclosed building or within an area enclosed on all sides by screening meeting the requirements of Section 19-5-6.4d. Public utilities and signs requiring natural air circulation, unobstructed view, or other technical consideration necessary for proper operation may be exempt from this provision. This exception does not include storing of any materials. (10-17-95, Case TA-95-04, Ord. No. 053-95)

LIMITED INDUSTRIAL DISTRICT M-1

SECTION 11-4. AREA REGULATIONS.

None, except where a permitted use in this district utilizes an individual sewerage or industrial waste system. In such case the local official charged with inspecting and approving such system shall approve the area needed.

SECTION 11-5. LOT WIDTH REGULATIONS.

None.

SECTION 11-6. SETBACK REGULATIONS.

Main buildings: Fifty (50) feet. (3-8-94, Case TA-93-08, Ord. No. 004-94)

SECTION 11-7. YARD REGULATIONS.

11-7-1 Side. The minimum width of each side yard for a main structure shall be fifteen (15) feet, except that when such use abuts a residential district, there shall be a side yard of fifty (50) feet. No side yard shall be required when a building adjoins a railroad right-of-way or siding. (10-11-83, Case TA-83-06, Ord. No. 034-83)

11-7-2 Rear. Each main structure shall have a rear yard of at least twenty-five (25) feet, except that when a use is abutting a residential district, there shall be a rear yard of fifty (50) feet. No rear yard shall be required when a building adjoins a railroad right-of-way or siding and the proposed building or structure functionally requires immediate proximity to the railroad right-of-way or siding as determined by the Administrator. (10-11-83, Case TA-83-06, Ord. No. 034-83) (9/11/01, TA-01-03, Ord. No. 028-2001)

SECTION 11-8. HEIGHT REGULATIONS.

Buildings or structures may be erected up to seventy-five (75) feet from grade except that: Structures required to ensure adequate water pressure for the fire protection needs of a property, the water service needs of the general public, or any air quality control ordinances may be erected up to two hundred (200) feet above grade if they are set back from side or rear property lines a distance at least equal to their height, and are set back from any residentially zoned property a distance at least three times their height. (12-8-87, Case TA-87-03, Ord. No. 042-87)

SECTION 11-9. SPECIAL PROVISIONS FOR CORNER LOTS.

WINCHESTER ZONING ORDINANCE

- 11-9-1 Of the two (2) sides of a corner lot, the front shall be deemed to be the shorter of the two (2) sides fronting on streets.
- 11-9-2 The side yard facing on the side shall be fifty (50) feet for both main and accessory buildings.